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C O N F I D E N T I A L CARACAS 001155

SIPDIS

NSC FOR CBARTON
USCINCSO ALSO FOR POLAD
USAID DCHA/OTI FOR RPORTER

E.O. 12958: DECL: 06/03/2013

TAGS: [PHUM](#) [VE](#)

SUBJECT: TORTURED DETAINEES RELEASED FOR LACK OF EVIDENCE

CLASSIFIED BY: POLITICAL COUNSELOR ABELARDO A. ARIAS FOR REASONS 1.4 (B)
) AND (D)

[1](#)1. (U) SEVEN YOUTHS (DAVID AMUNDARAIN, HEBER GUSTAVO PRADA, JOSE PERALTA, RODRIGUO ALEGRETT, JOSE MOYO ROJAS, ANGEL KENT DAVIOTT, AND JOSE RAMON MERLO) DETAINED DURING POLITICAL DISTURBANCES FEBRUARY 27-MARCH 5 WERE RELEASED FROM LA PLANTA PRISON IN CARACAS MARCH 31, ACCORDING TO NEWS REPORTS. PROSECUTOR ANGELA RAUSSEO REQUESTED THEIR RELEASE CITING LACK OF EVIDENCE TO SUSTAIN CHARGES OF OBSTRUCTING A PUBLIC THOROUGHFARE, POSSESSION OF EXPLOSIVE/INCENDIARY DEVICES, INCITEMENT TO COMMIT A CRIME, RESISTING AUTHORITY, AND CONSPIRACY.

[1](#)2. (U) ACCORDING TO CARLOS NIETO, DIRECTOR OF THE PRISONS WATCHDOG GROUP "A WINDOW TO LIBERTY," ALL SEVEN DETAINEES WERE "SAVAGELY AND INHUMANELY TORTURED" BY THE NATIONAL GUARD WHEN THEY WERE DETAINED BUT WERE REASONABLY WELL TREATED WHILE IMPRISONED. TORTURE REPORTEDLY INCLUDED SEVERE BEATINGS, CHEMICAL BURNS FROM APPLICATION OF TEAR GAS POWDER, AND HUMILIATION. NIETO ISSUED REPORTS MARCH 9 AND 15 WITH UPDATES ON THEIR PHYSICAL CONDITION AND LEGAL CASES.

COMMENT

[1](#)3. (C) THE RELEASE OF THESE INDIVIDUALS MAY REPRESENT A CALCULATED ASSESSMENT BY THE GOV: THE WIDE REPORTS OF THEIR TORTURE WOULD OUTWEIGH ANY BENEFITS THE GOVERNMENT MIGHT EXPECT TO DERIVE FROM PURSUING THE CHARGES AGAINST THEM. INCREASINGLY, THOSE WHO REMAIN IMPRISONED, OR UNDER THREAT OF IMPRISONMENT, ARE NOTABLE MEMBERS OF THE OPPOSITION OR SIMPLY HAVE NO ONE TO PUBLICIZE THEIR MISTREATMENT BY THE GOV. SHAPIRO

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